



State of Utah

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Environmental Quality

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DIVISION OF WATER QUALITY  
Walter L. Baker, P.E.  
*Director*

CBIS/015 Incoming  
cc: Steve C.  
Karl H.  
K

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*Executive Secretary*

November 10, 2011

John Gefferth  
Consolidation Coal Company  
P.O. Box 566  
Sesser, Illinois 62884

Dear Mr. Gefferth:

Subject: Final Compliance Schedule Milestone, UPDES Permit Number UT0022616

On May 9, 2011, Consolidation Coal (Consol) submitted a UPDES Permit renewal application. On October 13, 2011, the application was updated in response to comments and re-submitted to the Division of Water Quality (DWQ).

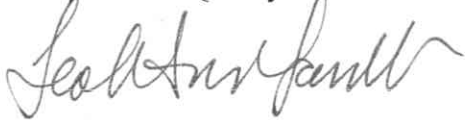
As you are aware, on November 30, 2011, UPDES Permit No. UT0022616 will expire. As provided for in Utah Administrative Code, Section R317-8-3.1, the existing permit will be automatically continued if the renewal permit is not issued prior to the expiration date. All of the requirements, conditions and limitations of your existing permit will remain in full effect until the renewal permit is issued.

The existing permit includes a compliance schedule which requires that Consol complies with the final TDS limits on November 30, 2011. Because a site specific TDS and sulfate standard was recently adopted for this facility and the fact that the renewal permit will not be issued prior to this date, the final compliance point (TDS limits) will be held in abeyance until the renewal permit is issued. It is anticipated that the permit will be renewed in the first quarter of 2012 and that it will include effluent limits for TDS and sulfate based upon the newly adopted site specific standard.

If you have any questions please contact Kim Shelley at [kshelley@utah.gov](mailto:kshelley@utah.gov) or 801-536-4385.

Sincerely,

Utah Water Quality Board

A handwritten signature in dark ink, appearing to read "Leah Ann Lamb", written over the typed name.

Leah Ann Lamb  
Acting Executive Secretary

LAL:KS

cc: David Ariotti, District Engineer, Utah Department of Environmental Quality  
Stephen Behling, Mine Superintendent, Emery Mine  
Marty Banks, Stoel Rives  
Stephanie Geick, US EPA Region 8  
Steve Christensen, Utah Division of Oil, Gas and Mining